

TITLE 4: BUSINESS AND SPECIAL LICENSES, REGULATIONS

DIVISION 1: BUSINESS LICENSES AND REGULATIONS

Chapter 18: TAXICAB SERVICE.

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41.181 Definitions.

As used in this Chapter, the following terms shall have the meanings set forth below:

- (a) Driver. Any person driving a taxicab either as owner or under the direction, employment control, or service of the owner as herein defined.
- (b) Owner. Every person having control, whether by outright ownership, lease or otherwise of any taxicabs for hire.
- (c) Person. Includes both singular and plural, and shall mean and include any individual, firm, corporation, association, partnership, or society, exclusive of public agencies.
- (d) Taxicab. Any vehicle which is used to provide taxicab service as defined in this Chapter.
- (e) Taxicab Service. Taxicab service means any public passenger transportation service available for hire on call or demand over the public streets of the unincorporated area of San Bernardino County where the service is not provided over a defined route but between such points and over such routes as may be directed by the passenger(s) or person(s) hiring the same, and irrespective of whether the operations extend beyond the area of the unincorporated portion of San Bernardino County.

Adopted Ordinance #2718 (1982);

41.182 Permit Required for Taxicab Service.

It shall be unlawful for any person to engage in the business of operating or causing to be operated any taxicab service within the unincorporated area of San Bernardino County, without having a County permit to do so under the provisions of this Chapter.

Adopted Ordinance #2718 (1982);

41.183 Application for Taxicab Service Permit.

(a) Any person desiring to obtain a permit to operate a taxicab service under this Chapter shall submit a written application to the Clerk of the Board of Supervisors of the County of San Bernardino. The application forms will be provided by the Clerk of the Board of Supervisors. Applications shall be signed under penalty of perjury and shall contain the following information:

- (1) Name, residence address and telephone number of the applicant.
- (2) Business name, address and telephone number of the applicant.
- (3) Number of vehicles to be operated under the permit.
- (4) The make, type, year, manufacturer, and passenger seating of the vehicles to be used by the applicant.
- (5) The proposed color scheme, insignia or other distinguishable characteristics of the taxicab to be used, including the type of illuminated sign to be mounted on the top of the vehicle and legend thereon.
- (6) Evidence of public liability insurance of not less than \$100,000 for each person killed or injured and not less than \$300,000 for injury or death of any two (2) or more persons in any one accident, and for damages to property of at least \$50,000 from any one (1) accident.
- (7) Legal and registered ownership of the vehicles to be used by the applicant.

(8) Prior experience of the applicant in the taxicab business including any prior denial, revocation or suspension by any public agency of any taxicab service or taxicab driving permit, license or certificate.

(9) All felony convictions of the applicant and of all persons having an ownership interest in the proposed taxicab service.

Adopted Ordinance #2718 (1982);

41.184 Issuance of Taxicab Service Permit.

Upon the furnishing of all the information required by Section 41.183 and payment of the required fee under this Chapter, the Board of Supervisors shall issue the applicant a Taxicab Service Permit if the applicant is in compliance with this Chapter and there are no grounds for denial of the permit under the provisions of this Chapter. Any applicant denied a permit shall be given written notice of the reasons for the denial.

Adopted Ordinance #2718 (1982);

41.185 Grounds for Denial or Revocation of Taxicab Service Permit.

- (a) Taxicab Service Permits shall be denied or revoked on the following grounds:
- (1) Failure to have or maintain insurance as required by this Chapter.
 - (2) Failure to maintain vehicles in good and safe order and in compliance with all laws.
 - (3) False statements made on an application submitted under this Chapter.
 - (4) Failure to pay any fees as required under this Chapter or the County Code Fee Schedule.
 - (5) Repeated and persistent violations by the permittee or the permit holder's drivers of the traffic laws of the County and State.
 - (6) Employing of a driver who does not have a valid Taxicab Driver's Permit under the requirements of this Chapter.
 - (7) Violation of any of the provisions of this Chapter by the permit holder.

41.186 Permit Fees.

Every person engaging in or carrying on the business of taxicab service shall pay an annual permit fee as set forth in the San Bernardino County Code Fee Schedule. Every person engaging in the activity of driving a taxicab shall pay an annual permit fee as set forth in the San Bernardino County Code Fee Schedule. Required fees shall be paid at the time an application for a permit is submitted under this Chapter.

Every permit issued under this Chapter shall terminate at the expiration of one (1) year from the date of its issuance unless revoked prior to said termination. Any renewal of a permit issued under this Chapter shall be pursuant to the same requirements, procedures, provisions and regulations set forth in this Chapter for an original permit. A person holding a Taxicab Service Permit may not drive a taxicab without also possessing a Taxicab Driver's Permit. Permits issued under this Chapter may not be transferred to any other person.

Adopted Ordinance #2718 (1982);

41.187 Taxicab Driver's Permit.

It shall be unlawful for any person to drive a taxicab in the unincorporated area of San Bernardino County without having a Taxicab Driver's Permit to do so under the provisions of this Chapter.

Adopted Ordinance #2718 (1982);

41.188 Application for a Taxicab Driver's Permit.

(a) Any person desiring to obtain a Taxicab Driver's Permit shall submit a written application to the Sheriff of San Bernardino County. The applicant shall provide requested information on application forms supplied by the Sheriff regarding the following:

- (1) Pertinent personal data and proof of possession of a valid Class 3 driver's license issued by the State of California.
- (2) Physical condition.
- (3) Traffic record for three (3) years prior to application.
- (4) All criminal convictions of the applicant.
- (5) Experience in driving motor vehicles, taxis and other vehicles for hire.
- (6) The name and address of the taxicab service by whom the applicant will be employed.

Each applicant shall be fingerprinted and photographed by the Sheriff's Office and a criminal records check shall be conducted on the applicant. The applicant will be required to pay the Sheriff's established fees for such services in addition to the Taxicab Driver's Permit fee. A driver obtaining a permit renewal need not be fingerprinted and photographed if the Sheriff determines that such is not necessary for proper administration of this Chapter.

Adopted Ordinance #2718 (1982);

41.189 Grounds for Denial or Revocation of Taxicab Driver's Permit.

- (a) Taxicab Driver's Permits shall be denied or revoked on the following grounds:
- (1) The person does not possess a valid Class 3 driver's license issued by the State of California.
 - (2) The person is less than eighteen (18) years of age.
 - (3) The person is required to register pursuant to Section 290 of the California Penal Code.
 - (4) The person has been convicted of a crime involving moral turpitude, soliciting for prostitution, narcotics or dangerous drugs, unless a period of not less than three (3) years has elapsed since the date of conviction or the date of release from confinement for such offense, whichever is later.
 - (5) The person has been convicted for driving a taxicab recklessly within the preceding two (2) years.
 - (6) Repeated and persistent violations of the traffic laws of the County and State.
 - (7) Driving any taxicab the driver knew or should have known was not in good order and repair.
 - (8) False statements made on an application submitted under this Chapter.
 - (9) Operating a taxicab while under the influence of alcoholic beverages, narcotics or other habit-forming drugs.
 - (10) Violation of any of the provisions of this Chapter.

Adopted Ordinance #2718 (1982);

41.1810 Issuance of Taxicab Driver's Permit.

If the Sheriff finds that the applicant is duly qualified, of good moral character, in compliance with the provisions of this Chapter and there are no grounds for denial, the Sheriff shall issue a Taxicab Driver's Permit to the applicant. Any applicant denied a permit shall be given written notice of the reasons for the denial. Permits shall remain the property of the County of San Bernardino and are not transferable to any other driver. A permit shall be surrendered to the Sheriff by the driver upon such driver ceasing to engage in the activity of a taxicab driver. The Taxicab Driver's Permit shall set forth the driver's name and working address. The permit shall bear the driver's picture and shall be displayed while the driver is operating the taxicab so as to at all times be easily visible in the passenger's compartment of the taxicab.

Upon payment of all required fees, submittal of the required application and completion of fingerprinting and photographing, the Sheriff shall issue a Temporary Taxicab Driver's Permit which shall be valid for up to sixty (60) days if the applicant certifies under penalty of perjury that there are no grounds for denying the applicant a permit under the provisions of Section 41.189. A Temporary Taxicab Driver's Permit may be terminated by the Sheriff at any time by written notification of termination to the holder of a Temporary Driver's Permit if the Sheriff's investigation determines that grounds for denial of a permit exists under Section 41.189. Any Temporary Permit shall automatically terminate upon the issuance of a regular Taxicab Driver's Permit to the applicant after the completion of the Sheriff's investigation.

Adopted Ordinance #2718 (1982);

41.1811 Appeal Procedures.

Any person denied a permit pursuant to this Chapter may appeal to the Board of Supervisors in writing, stating reasons why the permit should be granted. The Board of Supervisors may grant or deny the permit. Any appeal must be made within ten (10) days of the mailing of notice of the denial of a permit. The Board of Supervisors may hear appeals directly or in its sole discretion may appoint a hearing officer to hear any appeal and make a recommendation to the Board of Supervisors pursuant to County Code, Section 12.270 et seq. The decision of the Board of Supervisors on any appeal shall be final.

Adopted Ordinance #2718 (1982);

41.1812 Revocation of Permits.

No permit issued under this Chapter shall be revoked until notice is provided and a hearing to determine whether there are grounds for revocation shall have been held before the Board of Supervisors or in the Board's sole discretion before a hearing officer appointed by the Board of Supervisors to hear the appeal and make a recommendation to the Board under County Code, Section 12.270 et seq. Notice of such hearing shall be given in writing and served at least ten (10) days prior to the date of the hearing thereon. The notice shall state the grounds of the complaint against the holder of such permit, and shall designate the time and place where such hearing will be held. Said notice shall be served upon the permit holder by delivering the same personally or by leaving such notice at the place of business or residence of the permit holder in the custody of a person over the age of eighteen (18) years. In the event the permit holder cannot be found, and the service of such notice cannot be otherwise made in the manner herein provided, a copy of such notice shall be mailed, certified postage fully prepaid, addressed to the permit holder at his or her place of business or residence at least ten (10) days prior to the date of such hearing. The

decision of the Board of Supervisors in a revocation appeal shall be final. This Chapter shall be enforced by the Sheriff of San Bernardino County.

Adopted Ordinance #2718 (1982);

41.1813 Exemptions.

This Chapter shall not apply to public transportation service being performed pursuant to a contract with the County of San Bernardino or any other public entity in this State. A taxicab service shall not be required to obtain a permit under this Chapter for taxicab service in the unincorporated area of the County when said taxicab service is located within a city of the County and its vehicles are based within said city and the taxicab service has a license, certificate or permit from said city to engage in taxicab service under a city ordinance which regulates taxicab service.

A driver operating a taxicab for a service that is exempt from a permit under the preceding sentence shall not be required to have a driver's permit under this Chapter if such driver has a valid permit or license from a city within San Bernardino County which requires an individual taxicab driver's permit or license.

Adopted Ordinance #2718 (1982);

41.1814 Time for Compliance by Existing Taxicab Services and Taxicab Drivers.

Any taxicab service or taxicab driver performing service on the effective date of this Chapter shall have sixty (60) days from the effective date of this Chapter to obtain permits required hereunder.

Adopted Ordinance #2718 (1982);

41.1815 Penalty.

Violation of any of the provisions of this Chapter is a misdemeanor and punishable by a fine not exceeding five hundred dollars (\$500) or by imprisonment in the County Jail not exceeding six (6) months, or by both such fine and imprisonment.

Adopted Ordinance #2718 (1982);